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of America

# Congressional Record

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No. 76

## House of Representatives

The House met at 10 a.m.

Rabbi Joui Hessel, Washington Hebrew Congregation, Washington, DC, offered the following prayer:

God of all people, we thank You for all that is good in our world. We acknowledge Your sovereignty and everlasting presence in our lives. Bless us as we commit ourselves to continuing Your work of creation. For our commitment to social justice and peace is our task, and You our guide.

Allow our Nation's leaders and its citizens the opportunity to work together in an effort to create a world filled with righteousness and peace. Bless our magnificent country, that it may always be a stronghold of peace and its advocate among the Nations. May satisfaction reign within its borders, health and happiness within our homes. Strengthen our relationships among the inhabitants of all lands, so that we may work together for peace.

Blessed are You, God, who grants us life, sustains us and enables us to work for a better tomorrow. Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. McNULTY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. McNULTY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 346, nays 47, answered “present” 1, not voting 39, as follows:

[Roll No. 223]

YEAS—346

Abercrombie  
Ackerman  
Aderholt  
Akin  
Alexander  
Allen  
Andrews  
Baca  
Bachus  
Baker  
Ballenger  
Barrett (SC)  
Barton (TX)  
Bass  
Beauprez  
Becerra  
Bereuter  
Berkley  
Berman  
Berry  
Biggert  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boswell  
Boucher  
Boyd  
Bradley (NH)  
Brady (TX)  
Brown (OH)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Burgess  
Burns  
Burr  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Capps  
Cardin

Cardoza  
Carson (IN)  
Carter  
Case  
Castle  
Chabot  
Chandler  
Chocola  
Clay  
Clyburn  
Coble  
Cole  
Collins  
Cox  
Cramer  
Crenshaw  
Crowley  
Cubin  
Culberson  
Cunningham  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis (TN)  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
DeLauro  
DeLay  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Dooley (CA)  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Emanuel  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Feeney  
Ferguson  
Flake  
Foley

Forbes  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Frost  
Gallegly  
Garrett (NJ)  
Gephardt  
Gibbons  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Goss  
Granger  
Green (WI)  
Greenwood  
Gutierrez  
Hall  
Harman  
Harris  
Hastings (WA)  
Hayes  
Hayworth  
Hensarling  
Hill  
Hinojosa  
Hobson  
Hoeffel  
Hoekstra  
Holden  
Holt  
Honda  
Hostettler  
Houghton  
Hoyer  
Hyde  
Inslee  
Isakson  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jenkins  
John  
Johnson (CT)  
Johnson (IL)  
Jones (NC)  
Jones (OH)  
Kanjorski

Kaptur  
Keller  
Kelly  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kirk  
Kleczka  
Kline  
Knollenberg  
Kolbe  
LaHood  
Langevin  
Lantos  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Majette  
Maloney  
Manzullo  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCotter  
McCrery  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Michaud  
Millender-  
McDonald  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Mollohan  
Moore

Moran (KS)  
Moran (VA)  
Murphy  
Musgrave  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt  
Neugebauer  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Oberstar  
Obey  
Ortiz  
Osborne  
Ose  
Owens  
Oxley  
Pallone  
Pascarelli  
Paul  
Payne  
Pearce  
Pelosi  
Pence  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Rahall  
Rangel  
Regula  
Rehberg  
Renzi  
Reyes  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (MI)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)

Ryun (KS)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Saxton  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stearns  
Stenholm  
Sullivan  
Sweeney  
Tanner  
Tauscher  
Taylor (NC)  
Terry  
Tiahrt  
Tiberi  
Tierney  
Toomey  
Towns  
Turner (OH)  
Turner (TX)  
Upton  
Van Hollen  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Watson  
Watt  
Waxman  
Whitfield  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wynn  
Young (FL)

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H3721

## NAYS—47

Baird	Hooley (OR)	Sabo
Baldwin	Hulshof	Sandlin
Bell	Johnson, E. B.	Schakowsky
Cooper	Kennedy (MN)	Strickland
Costello	Kucinich	Stupak
DeFazio	Lampson	Taylor (MS)
English	Larsen (WA)	Thompson (CA)
Filner	LoBiondo	Thompson (MS)
Ford	McDermott	Udall (CO)
Graves	McNulty	Udall (NM)
Green (TX)	Miller, George	Visclosky
Gutknecht	Olver	Waters
Hart	Otter	Weller
Hastings (FL)	Pastor	Wicker
Hefley	Peterson (MN)	Wu
Hinche	Ramstad	

## ANSWERED "PRESENT"—1

Tancredo

## NOT VOTING—39

Ballance	Deutsch	Murtha
Bartlett (MD)	Emerson	Rohrabacher
Boehler	Engel	Slaughter
Brady (PA)	Fossella	Smith (MI)
Burton (IN)	Gerlach	Tauzin
Capuano	Grijalva	Thomas
Carson (OK)	Herger	Thornberry
Conyers	Hunter	Velázquez
Crane	Istook	Weiner
Cummings	Jefferson	Weldon (FL)
DeGette	Johnson, Sam	Weldon (PA)
Delahunt	Kingston	Wexler
DeMint	Lynch	Young (AK)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGETT) (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 1028

Mr. RUPPERSBERGER changed his vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Georgia (Mr. LINDER) come forward and lead the House in the Pledge of Allegiance.

Mr. LINDER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives.

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 2, 2004.

Hon. J. DENNIS HASTERT,  
Speaker, House of Representatives,  
Washington, DC

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from The Honorable Chris Nelson, Secretary of State, State of South Dakota, indicating that, according to the unofficial returns of the Special election held June 1, 2004, the Honorable Stephanie Herseeth was elected Representative in congress for the At Large Congressional District, State of South Dakota.

With best wishes, I am

Sincerely,

JEFF TRANDAHL.

## Attachment.

SECRETARY OF STATE,  
Pierre, SD, June 2, 2004.

Hon. JEFF TRANDAHL,  
Clerk, House of Representatives,  
The Capitol, Washington, DC.

DEAR MR. TRANDAHL: This is to advise you that the unofficial results of the Special Election held on June 1, 2004 for Representative in Congress from the At-Large Congressional District of South Dakota show that Stephanie Herseeth received 132,236 votes or 50.6% of the total number of votes cast for that office.

It would appear from these unofficial results that Stephanie Herseeth was elected as Representative in Congress from the At-Large Congressional District of South Dakota.

To the best of my knowledge and belief at this time, there is no contest to this election.

As soon as the official state canvass has been conducted on June 8, an official certification of election will be prepared for transmittal as required by law.

Sincerely,

CHRIS NELSON.

SOUTH DAKOTA CENTRAL ELECTION REPORTING SYSTEM  
STATE TOTALS—JUNE 1, 2004

[Statewide: Precincts reported: 798; precincts to report: 798]

Name	Party	Votes	Pct.
Dem. Presidential:			
Howard Dean .....	D	4,837	.06
John Kerry .....	D	69,454	.82
Dennis Kucinich .....	D	2,043	.02
Lyndon Larouche .....	D	2,942	.03
Uncommitted delegates .....	D	5,104	.06
U.S. House:			
Larry Diedrich .....	R	129,292	.49
Stephanie Herseeth .....	D	132,236	.51

PROVIDING FOR SWEARING IN OF  
MS. STEPHANIE HERSEETH, OF  
SOUTH DAKOTA, AS A MEMBER  
OF THE HOUSE

Ms. PELOSI. Mr. Speaker, I ask unanimous consent that the gentlewoman from South Dakota (Ms. STEPHANIE HERSEETH) be permitted to take the oath of office today. Her certificate of election has not arrived, but there is no contest, and no question has been raised with regard to her election.

The SPEAKER. Is there objection to the request of the gentlewoman from California?

There was no objection.

SWEARING IN OF THE HONORABLE  
STEPHANIE HERSEETH, OF SOUTH  
DAKOTA, AS A MEMBER OF THE  
HOUSE

The SPEAKER. Will the Member-elect from South Dakota (Ms. HERSEETH) come forward and raise her right hand.

Ms. HERSEETH appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion, and that you will

and faithfully discharge the duties of the office on which you are about to enter. So help you God.

The SPEAKER. Congratulations. You are a Member of the House of Representatives.

□ 1030

INTRODUCTION OF REPRESENTATIVE  
STEPHANIE HERSEETH

(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PELOSI. Mr. Speaker, as Members know, it is the custom of the House when a new Member is sworn in after a special election, the senior Member from that Member's State has the privilege of introducing the new Member to the House. Since South Dakota only has one Member of Congress, that is not possible today; and so I have that privilege.

But I do want to acknowledge the escort committee to the gentlewoman from South Dakota (Ms. HERSEETH), and that does have a nice ring to it, and what a distinguished escort committee it is, indeed: our former colleague, the Democratic leader in the United States Senate, TOM DASCHLE, and another former colleague from the House of Representatives, the distinguished Senator from South Dakota, Tim Johnson.

Mr. Speaker, the gentlewoman from South Dakota (Ms. HERSEETH) will bring to this House of Representatives the values of the heartland of America and a voice for her generation. She comes from a very distinguished political family in South Dakota. Her grandfather was Governor; her parents were public servants, very respected in South Dakota. She comes here, though, to make her own mark and to make the people of South Dakota very, very proud.

Mr. Speaker, I am very pleased to recognize the distinguished gentlewoman from South Dakota (Ms. HERSEETH).

EXPRESSING GRATITUDE AND  
THANKS FOR THE OPPORTUNITY  
TO SERVE AS REPRESENTATIVE  
FROM SOUTH DAKOTA

(Ms. HERSEETH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HERSEETH. Mr. Speaker, I want to thank my fellow Members of the United States House of Representatives for that gracious and warm welcome. I thank the gentlewoman from California (Ms. PELOSI) for that very kind and generous introduction. I thank Senators DASCHLE and JOHNSON for taking the time to be here with me and my family today. I also thank another native South Dakotan, Jeff Trandahl, our Clerk here in the House, for all of his work and the work of his office. And I thank you, Mr. Speaker, for allowing me to be sworn in at the earliest opportunity so that the people of